

1 KAMALA D. HARRIS
Attorney General of California
2 DIANN SOKOLOFF
Supervising Deputy Attorney General
3 SUSANA A. GONZALES
Deputy Attorney General
4 State Bar No. 253027
1515 Clay Street, 20th Floor
5 P.O. Box 70550
Oakland, CA 94612-0550
6 Telephone: (510) 622-2221
Facsimile: (510) 622-2270
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. *2011-699*

13 **ROSA CARDONA JOHNSON, a.k.a. ROSA**
14 **MARIA CARDONA JOHNSON, a.k.a.**
15 **ROSA JURADO, a.k.a. ROSA CARDONA**
16 **4905 Bermuda Drive**
17 **San Angelo, TX 76904**
18 **Registered Nurse License No. 614263**

A C C U S A T I O N

Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about February 21, 2003, the Board of Registered Nursing issued Registered
25 Nurse License Number 614263 to Rosa Cardona Johnson, also known as Rosa Maria Cardona
26 Johnson, also known as Rosa Jurado, also known as Rosa Cardona (Respondent). The Registered
27 Nurse License was in full force and effect at all times relevant to the charges brought in this
28 Accusation and will expire on August 31, 2012, unless renewed.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

6. Section 118, subdivision (b), of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

18
19
20
21
22
23
24
25
26
27
28

“The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

• • •

27

28

1 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
2 action.”

3 DRUGS

4 8. “Methadone Hydrochloride” is a synthetic narcotic analgesic with many similarities
5 to Morphine. It is a dangerous drug as defined by Code section 4022, and is a Schedule II
6 controlled substance as defined in Health and Safety Code section 11055, subdivision (c)(13).
7 Methadone should be used with caution and in reduced dosage in patients who are concurrently
8 receiving other narcotic analgesics.

9 9. “Demerol,” a trade name for Pethidine or Meperidine, is a dangerous drug as defined
10 by Code section 4022, and is a Schedule II controlled substance as defined in Health and Safety
11 Code section 11055, subdivision (c)(16). Demerol is also a Schedule II controlled substance as
12 defined by Title 21 of the Code of Federal Regulations, section 1308.12, subdivision (c)(16).
13 Because of the potential for interaction with other central nervous system depressants, Demerol
14 should be used with great caution and in reduced dosage in patients who are concurrently
15 receiving other narcotic analgesics, general anesthetics, phenothiazines, other tranquilizers,
16 sedative-hypnotics, and other central nervous system depressants. Respiratory depression,
17 hypotension, and profound sedation or coma may result.

18 10. “Atorvastatin calcium,” also known by its trade name Lipitor, is used for lowering
19 blood cholesterol. It also stabilizes plaque and prevents strokes through anti-inflammatory and
20 other mechanisms. Precaution must be taken when treating with Atorvastatin, because rarely it
21 may lead to rhabdomyolysis or it acute renal failure due to myoglobinuria. Atorvastatin calcium
22 is a dangerous drug as defined by Code section 4022.

23 COST RECOVERY

24 11. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
25 administrative law judge to direct a licentiate found to have committed a violation or violations of
26 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
27 enforcement of the case.
28

CAUSE FOR DISCIPLINE

(Unprofessional Conduct – Out of State Discipline)
(Bus. & Prof. Code § 2761, subd. (a)(4))

12. Respondent has subjected her registered nurse license to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about August 18, 2009, in a disciplinary action before the Texas Board of Nursing (Texas Board), the Texas Board entered an Agreed Order (Order) ordering a warning with stipulations. The Order required Respondent to: (1) not work outside of the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the nursing board in the party state; (2) deliver her wallet-sized license to the Texas Board for appropriate notation; (3) within one year of entry of the Order, complete a Texas Board-approved course in nursing jurisprudence for a minimum of six hours; (4) within one year of entry of the Order, complete a Texas Board-approved course in medication administration for a minimum of six contact hours with a minimum 24-hour clinical component; (5) within one year of entry of the Order, complete a Texas Board-approved course in physical assessment for a minimum of six hours with a minimum 24 hour clinical component; and (6) within one year of entry of the Order, complete the course "Sharpening Critical Thinking Skills," a 3.6 contact hour online program provided by the National Council on State Boards of Nursing (NCSBN) Learning Extension.

13. The Order further provided that should Respondent practice as a nurse in the State of Texas, she must provide direct patient care and practice in a hospital, nursing home, or other clinical setting for a minimum of 64 hours-per-month for two years under the following stipulations: (1) notify each present and future employer in professional nursing of the Order and stipulations on her license and provide them with a copy of the Order; (2) cause each present and future employer in nursing to submit the Notification of Employment form within five days of employment as a professional nurse; (3) for the first year of employment as a nurse under the Order, work under the direct supervision of a registered nurse working on the same unit as Respondent and immediately available to provide assistance and intervention; (4) after the first year of the stipulation period, work under the supervision of a registered nurse who is on the

premises but is not required to be on the same unit or ward as Respondent; (5) work only on regularly assigned, identified, and predetermined units; (6) not be employed by a nurse registry, temporary nurse employment agency, hospice, or home health agency; (7) not be self-employed, contract for services, or have multiple employers; and (8) cause each employer to submit quarterly reports as to Respondent's capability to practice professional nursing.

14. The underlying conduct supporting the Texas Board's disciplinary action is that on or about February 19, 2008, while working at Shannon Medical Center in San Angelo, Texas, Respondent failed to assess and intervene in the care of a patient who complained of abdominal pain and had hypoactive bowel tones with a declining blood pressure. Respondent failed to notify the physician when the patient complained of abdominal bloating and had a significant decline in blood pressure. The patient was transferred to the Intensive Care Unit (ICU) after coding during the shift following Respondent's shift. The patient coded a second time at the ICU and expired three hours later. The Texas Board concluded that Respondent's conduct was likely to injure the patient due to non-efficacious care, which may have contributed to the patient's demise. On or about May 6, 2009, Respondent failed to follow a physician's orders to appropriately administer medications when she administered Methadone to a patient following the patient's left total knee replacement. The physician had ordered that no narcotic or other nervous system depressants be given to the patient without a specific order or without the approval of the anesthesiologist. While a previous order for Methadone remained on the Medication Administration Record (MAR) for the patient, Respondent failed to check for changes or updates to the physician's orders following the surgery. The Texas Board found that Respondent's conduct was likely to injure the patient from adverse reactions to medications administered without the benefit of a physician's expertise.

15. On or about September 9, 2008, Respondent failed to appropriately administer medication to a patient by administering Demerol intravenously rather than by intramuscular injection, as ordered by the physician. The Texas Board concluded that Respondent's conduct was likely to injure the patient from adverse reactions to medications administered without the benefit of a physician's expertise. Lastly, on or about September 30, 2008, through October 26,

1 2008, Respondent failed to appropriately administer Atorvastatin Calcium to a patient as ordered,
2 and failed to document new orders to administer Insulin on the patient's MAR. As a result, the
3 patient received the Atorvastatin late and received the wrong dosage of Insulin. The Texas Board
4 concluded that Respondent's conduct resulted in an inaccurate medical record and was likely to
5 injure the patient due to non-efficacious care because subsequent care givers would not have
6 correct information on which to base their care decisions.

7 PRAYER

8 WHEREFORE, Complainant requests that a hearing be held on the matters alleged in this
9 Accusation, and that following the hearing, the Board of Registered Nursing issue a decision:

10 1. Revoking or suspending Registered Nurse License Number 614263, issued to Rosa
11 Cardona Johnson, also known as Rosa Maria Cardona Johnson, also known as Rosa Jurado, also
12 known as Rosa Cardona;

13 2. Ordering Rosa Cardona Johnson, also known as Rosa Maria Cardona Johnson, also
14 known as Rosa Jurado, also known as Rosa Cardona to pay the Board of Registered Nursing the
15 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
16 Professions Code section 125.3;

17 3. Taking such other and further action as deemed necessary and proper.
18
19

20 DATED: February 10, 2011



21 *for* LOUISE R. BAILEY, M.ED., RN
22 Executive Officer
23 Board of Registered Nursing
24 Department of Consumer Affairs
25 State of California
26 Complainant
27
28

SF2010900525
90177083.doc